



SO ORDERED,

*Jason D. Woodard*  
Judge Jason D. Woodard  
United States Bankruptcy Judge

The Order of the Court is set forth below. The case docket reflects the date entered.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI

IN RE:

BILLY DALE SKELTON,

Case No. 19-10626-JDW

Debtor.

Chapter 7

/

**ORDER AVOIDING JUDICIAL LIEN (DKT. # 9)**

This matter comes before the Court on the above-referenced Debtor's<sup>1</sup> Motion to Avoid Judicial Lien of **John Deere Financial Co.** (the "Creditor") pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 (the "Motion")(Dkt. # 9). The Debtor has represented to the Court that all parties in interest were timely served with the Motion, and no party has objected to the relief requested in the Motion by the deadline set by the Court. Based on the Debtor's representations, the Court finds and concludes as follows:

1. The Debtor exempted his homestead real property, as well as certain personal property, all as listed on Schedule C filed by the Debtor in this bankruptcy case.
2. The Creditor recorded a judicial lien against the Debtor's property, as follows:

**Benton County Land Records Book #39, Page 71 - case no. B2018-025 - June 4, 2018 - \$108,573.00**

3. The existence of the Creditor's lien against the Debtor's property impairs exemptions to which the Debtor would be entitled under Title 85, Chapter 3 of the Mississippi Code and 11 U.S.C. § 522(b). Accordingly, it is hereby

**ORDERED, ADJUGED AND DECREED** that

1. The Motion is **GRANTED**.
2. To the extent of the Debtor's exemptions, the judicial lien held by the Creditor as set forth above is **AVOIDED** and shall not survive bankruptcy, affix to, or remain enforceable against the Debtor's exempt property, unless this case is dismissed prior to entry of the Debtor's discharge.

<sup>1</sup> All references to "Debtor" shall refer to both debtors in a case filed jointly by two individuals.

3. A copy of the Order of Discharge is to accompany any recordation of this Order.
4. To the extent the Creditor's lien has been avoided, the Creditor shall be treated as a general unsecured creditor in this case.

##END OF ORDER##